

**WILL COUNTY, ILLINOIS LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)
BY-LAWS OF THE LEPC**

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WHEREAS, the Superfund Amendments and Reauthorization Act of 1986 (SARA) was enacted by Congress into law on October 17, 1986; and,

WHEREAS, the State of Illinois enacted the Illinois Emergency Planning and Community Right to Know Act, P.A. 86-449, on August 30, 1989, as amended; and,

WHEREAS, Title III establishes requirements that federal, state and local governments and industry must implement regarding Emergency Planning and Community Right-to-Know reporting on hazardous and toxic chemicals; and,

WHEREAS, pursuant to Title III, the State Emergency Response Commission (SERC) designated Will County a local emergency planning district and has appointed a local emergency planning committee for Will County; composed of representatives from the following groups or organizations: state and local officials, local environmental groups, law enforcement, hospital, local government EMA, transportation, fire fighting, broadcast and print media, first aid or emergency medical services, community groups, health, and, owners and operators of facilities subject to Section 620.90 of the State of Illinois EPCRA Rule. This committee has been named the Will County Local Emergency Planning Committee (hereafter referred to as "the Committee"); and,

WHEREAS, the Will County Emergency Planning Committee shall comply with, at a minimum, the sections as outlined in 29 Illinois Administrative Code 620, as amended and, as contained as Exhibit A of these by-laws.

NOW THEREFORE BE IT RESOLVED that the Will County Local Emergency Planning Committee be created and shall operate according to the following by-laws.

ARTICLE I ORGANIZATION

Section I. Name of Committee

The name of the Committee shall be the "Will County Local Emergency Planning Committee".

Section II. Status of Committee

The Committee shall operate as a governmental entity pursuant to and in strict accordance with all applicable laws, regulations, guidelines and ordinances.

Section III. Mailing Address and Telephone Number

The official mailing address and telephone number of the Committee shall be:

Will County Local Emergency Planning Committee
302 North Chicago Street
Joliet, IL 60432
815/740-8351 (office)
815/740-0911 (24 hr emergency)

Section IV. Monies and Appropriations

The Committee may receive and disburse public and private funds for the purpose of implementing the Emergency Planning and Community Right-to-Know Act of 1986 in Will County, Illinois. Such monies shall be deposited with the First Midwest Bank. All disbursements will require prior authorization by the Chairperson by category or specific item.

Monthly financial reports must be submitted to the Executive Board at their regular meetings. Full committee members will receive periodic financial reports at their meetings. Financial reports will be placed on file for audit and will be audited by the Rules Sub-Committee on an annual basis.

Signatures required on disbursements are two and may be signed by the Chairperson, Emergency Planning Coordinator and/or the Secretary/Treasurer of this Committee.

Section V. Fees

Reasonable administrative fees may be collected for information provided or services rendered by the Committee. The fees collected shall be as established or recommended by local, state or federal law, regulation, guideline or ordinance.

Person(s) requesting copies of material safety data sheets or tier information will be charged a copying fee of \$1.00 for the first page, \$.50 per page for the second through fifth page and, \$.25 per page for every other page thereafter, or as otherwise charged by the Will County Clerk's Office.

Section VI. Minutes of Committee Meetings

Minutes of all of the meetings of the Committee and Sub-Committee shall be kept in a journal of the Committee, which shall be maintained for such purpose. Minutes shall include, but not be limited to, a record of all votes of the Committee, a record of attendance at meetings and a summary of Committee discussions. The minutes of each meeting shall be mailed to each Committee member subsequent to each Committee meeting.

Section VII. Agenda for Committee Meetings

An agenda of each Committee meeting shall be mailed or delivered to each Committee member prior to each Committee meeting, unless a majority of a quorum of Committee members present at a meeting at which a vote is taken to eliminate this requirement.

Should this requirement be eliminated, it can be reinstated by a majority vote of a quorum of Committee members present at a meeting at which a vote is taken. The agenda for the next meeting may be mailed or delivered to each Committee member at the same time as the minutes of the last meeting.

This requirement can be eliminated in the same manner as the requirement that an agenda be mailed to each Committee member prior to each meeting. However, an agenda for each meeting shall always be mailed or delivered to each person or entity whose name and address are found on the list of those to whom notice is required.

The list to whom notice is required shall be provided to the Committee and updated as needed by the Committee's Emergency Public Information Coordinator.

ARTICLE II OFFICERS

Section I. Officers

The Officers of the Committee shall be a Chairperson, Emergency Planning Coordinator, Emergency Public Information Coordinator and Secretary/Treasurer. Additionally, each sub-committee will have a Chairperson and Secretary.

Section II. Chairperson

The Chairperson shall preside at all meetings of the Committee, be responsible for preserving order and decorum; and submit recommendations and information as he or she may consider proper concerning the business, affairs and policies of the Committee.

Except as otherwise authorized by these bylaws or by resolution of the Committee, the Chairperson shall sign, or delegate to the Emergency Planning Coordinator the authority to sign, all official documents of the Committee. The Chairperson shall establish or authorize the Emergency Planning Coordinator to establish suggested contribution and reimbursement amounts for emergency responses provided by the Committee.

The Chairperson shall also insure that an agenda or each Committee meeting is mailed or delivered as provided by ARTICLE I Section VII. The Chairperson will also serve as Chairperson of the Executive Board.

Section III. Emergency Planning Coordinator

The Emergency Planning Coordinator shall be the Vice Chairperson and perform the duties of the Chairperson in the absence or incapacity of the Chairperson. In case of the resignation or death of the Chairperson, the Emergency Planning Coordinator shall perform such duties as are imposed on the Chairperson until such time as the Committee shall elect a new Chairperson.

The Emergency Planning Coordinator shall have the authority to sign official documents of the Committee or establish fees to be collected by the Committee pursuant to authority delegated by the Chairperson.

The Emergency Planning Coordinator shall insure that any information gathered by the Committee or submitted pursuant to requirements established by the Committee, is stored at the office of the Will County Emergency Management at the address provided in ARTICLE I Section III.

The Emergency Planning Coordinator shall insure that minutes of the meetings of the Committee are kept and distributed in the manner prescribed by ARTICLE I Section VI. The Emergency Planning Coordinator will be a member of the Executive Committee and ex-officio-member of all other sub-committees.

Section IV. Emergency Public Information Coordinator

The Emergency Public Information Coordinator, upon request, shall make the minutes available no later than ninety (90) days after the date of the meeting. In addition the Emergency Public Information Coordinator shall be the official spokesperson for the Committee during critical incidents and shall be responsible for the release of any and all information on behalf of the Committee.

Section V. Secretary/Treasurer

The Secretary/Treasurer will be responsible for insuring the recording and typing of minutes at Committee meetings and that an agenda is prepared outlining the proceeding for the meetings. The Secretary/Treasurer will be responsible for the preparation and distribution of financial reports in the manner as prescribed by ARTICLE I Section VI.

The Secretary/Treasurer will be an ex-officio-member of all sub-committees preparing proceedings and minutes as submitted by sub-committee secretaries.

Section VI. Sub-Committee Chairpersons

The Sub-Committee Chairpersons will be appointed by the LEPC Chairperson, with the approval of a majority vote of the Committee members, and will perform subscribed duties as stated for their committee under ARTICLE V.

Section VII. Sub-Committee Secretary

The Sub-Committee Secretaries will be appointed by the members of that sub-committee and will record minutes of their proceedings and submit them to the Secretary/Treasurer for typing and distribution.

Section VIII. Additional Duties

The officers of the Committee shall perform such other duties and functions as may be required from time to time by the Committee, by-laws or rules and regulations governing the Committee.

Section IX. Election

The officers shall be elected for two (2) years at the Annual Meeting from among the members of the Committee and shall hold office from the annual meeting, at which they are elected, to the second annual meeting or until their successors are elected and qualified. The officers may be re-elected and serve for successive terms.

Section X. Vacancies

Should the office of Chairperson or Emergency Planning Coordinator become vacant, the Committee shall elect a successor from its membership at the next meeting and such election shall be for the unexpired term of said office. Should a vacancy occur in any office, the Chairperson shall appoint a member of this Committee to fill the vacancy for the remainder of the unexpired term.

Section XI. Authority to Contract

Should funds ever be appropriated to the Committee for this purpose, the Committee may contract as it deems necessary to exercise its powers, duties and functions as prescribed by federal, state and local laws, rules, regulations or guidelines. The scope and services of such contracts shall be determined by the Committee subject to any applicable laws.

ARTICLE III MEETINGS

Section I. Annual Meeting

The annual meeting of the Committee shall be the first meeting held after January 1st of each year at a time and location designated in the "Notice of Annual Meeting" mailed or delivered to each Committee member at least seven (7) days before such meeting.

Election of officers, renomination and nomination shall take place on the odd numbered years (ie: 2001, 2003, 2005, 2007, 2009, 2011), and shall occur in the following order:

- 1.) renomination;
- 2.) nomination; and,
- 3.) election.

Those who may vote and run for office are those persons who have been nominated or renominated and are members of the committee.

Section II. Meetings

Meetings of the Committee shall be subject to the call of the Chairperson. At least seven (7) days notice of the meeting shall be provided to all Committee members by mailing or delivering a written notice to the address provided by the member to the Committee. The written notice of the meeting may be mailed or delivered with the agenda for the meeting. The news media shall be informed of meeting dates, times and places.

Section III. Special Meetings

The Chairperson of the Committee may, when it is deemed necessary, and shall, upon the written request of at least two members of the Committee, call a special meeting of the Committee for the purpose of transacting any business of the Committee.

The purpose of this meeting shall be set forth in the call of the meeting and the call may be accomplished by fax, telephone notification, and/or hand delivery to each Committee member and the news media at the address provided to the Committee at least 48 hours prior to such meeting. At a special meeting no business shall be considered other than as designated in the call.

Section IV. Quorum

The powers of the Committee shall be vested in the Committee. Forty percent (40%) of the Committee membership shall constitute a quorum for the purpose of opening a meeting. At a meeting, action may be taken pursuant to an affirmative vote of a majority of all those present, unless a majority of those present is less than the number required for a quorum, then action may be taken upon an affirmative vote of the number required for a quorum.

Section V. Order of Business

At meetings of the Committee the following shall be the order of business:

- Call meeting to order
- Roll Call
- Reading & approval of minutes from the previous meeting
- Financial Report
- Introduction of Guest(s)
- Sub-Committee Reports
- Report of Emergency Planning Coordinator
- Report of LEPC Chairman
- Old Business
- New Business

- Public Comment
- Comments of Committee Members
- Adjournment

Any member of the public and/or media may address the Committee for any given reason. That person will be allowed five minutes to make his/her comments, unless otherwise approved by the Committee, or has been given permission at least five days prior to the Committee meeting to present a program.

The Committee will operate and utilize the Order of Business from ROBERTS RULES OF ORDER.

Section VI. Manner of Voting

The voting on all questions coming before the Committee shall be by ye or nay, or a show of hands, unless action is taken for a roll call vote on a particular matter. If a roll call vote is approved, the yeas and nays shall be recorded in the minutes of such meeting.

Section VII. Manner of Conducting Meetings

No standard rules of procedures shall be required unless adopted by an unanimous vote of a quorum of the Committee members. The meetings shall be conducted with order and decorum. The Committee shall follow the procedures determined appropriate by the Chairperson of the Committee, which may include but not limited to:

- No person shall speak unless first recognized by the Chairperson.
- Debate on a matter shall be closed by a motion and second to bring the matter to a vote.
- Any member of the Committee may make or second a motion.

Section VIII. Participation by Members of the Public

Members of the public are encouraged to attend all regular, special and annual meetings of the Committee. An opportunity will be provided at each meeting for members of the public to address the Committee on matters relating to local emergency preparedness.

A member of the public who desires to address the Committee may mail a written notice of intent to appear to the Chairperson at the address found in ARTICLE I Section III and then sign in with the Emergency Planning Coordinator at the time and place of the meeting before the meeting begins.

Members of the public who appear at the meeting and wish to address the Committee will be allowed to do so without a prior written notice of intent to appear; however, they will be required to wait until after any members of the public who have provided written notice of intent to appear have spoken.

Members of the public that have provided written requests or appear at the meeting to make comment will be allowed five minutes to make such comment. Members of the public are also encouraged to provide written opinions and information to the Committee by mailing written materials to the Chairperson at the address found in ARTICLE I Section III.

Members of the public include, but are not limited to, citizens, industry representatives, experts, expert witnesses' governmental entity representatives and the media.

ARTICLE IV MEMBERSHIP

Section I. Members

The members of the Committee shall consist of no more than twenty-seven (27) members with a minimum of one individual from each of the following categories and no more than six (6) from any one category: state and local officials, local environmental groups, law enforcement, hospital, local government EMA, transportation, fire fighting, broadcast and print media, first aid or emergency medical services, community groups, health, and, owners and operators of facilities subject to Section 620.50 of the State of Illinois EPCRA Rule.

All memberships are submitted by the Executive Board for submittal by the County Executive for appointment by the Governor.

Section II. Attendance at Meetings

All members of the Committee are required to attend at least fifty percent (50%) of all meetings of the Committee held in any twelve (12) consecutive months, unless excused. A Committee member will be excused from a meeting for good cause and upon notification to the Chairperson or the Emergency Planning Coordinator.

Section III. Removal from Membership

Any member may be removed for violation of Section II or change in representative status as determined by the Executive Board and recommended by the County Executive.

Section IV. Proxy Representatives

If a Committee member will be unable to attend a Committee meeting, a proxy representative may attend for that member. The proxy representative may take part in discussions of the Committee on behalf of the absent Committee member and shall be allowed to move, second or vote on any matters before the Committee.

The Committee member must provide a signed letter to the Secretary prior to the meeting, stating the name of the proxy representative and what the proxy representative has approval to vote on.

ARTICLE V SUBCOMMITTEES

Section I. Appointment of Subcommittees

The Chairperson may appoint subcommittees composed of members of the Committee to study a report on matters relevant to the Committee. All subcommittee meetings are open to all members. The following standing subcommittees are already in force: Executive Board, Planning, Public Information and Rules, these subcommittees shall not consist of less than three (3) members unless otherwise stated.

Section II. Executive Board

The Executive Board shall be chaired by the LEPC Chairperson. The Executive Board shall be a nine (9) member Board, which shall consist of the LEPC Chairperson, Emergency Planning Coordinator, Emergency Public Information Coordinator and, Secretary/Treasurer. In addition, five (5) other members of the Committee shall be appointed by the Chairperson.

A quorum of the Executive Board to conduct business shall be a minimum of five (5). The duties shall include recommending appointments for membership; gathering and approving information between meetings; and, securing and seeking funding for the Committee to operate.

Section III. Planning Sub-Committee

The Planning Sub-Committee is the overall committee in working with the regulated facilities to gather data in the development and updating of the planning requirements set forth under Title III "Emergency Planning and Community Right-to-Know Act of 1986".

Section IV. Public Information Sub-Committee

The Public Information Sub-Committee purpose is to develop procedures and fees for request received from the public on material safety data sheets and tier information. This subcommittee is also in charge with the development and distribution of brochures and media packets on informing the public of the law and meetings.

Section V. Rules Sub-Committee

The Rules Sub-Committee is in charge of the development of procedures in how the Committee will operate and the development of rules that facilities must follow when making notification of events or emergencies. The committee must also conduct an annual audit of the Secretary/Treasurer's books and report financial condition at the annual meeting.

ARTICLE VI AMENDMENTS

Section I. Amendments to By-laws

The by-laws of the Committee may be amended by an affirmative vote of 3/5ths of those members present. No vote shall be taken to amend the by-laws until the proposed amendment has been reduced to writing and mailed to each member fifteen (15) days prior to the meeting.

Section II. Filing of By-laws and Amendments to By-laws

A copy of the by-laws and any amendments to the by-laws shall be provided to: The Will County Executive, and the Members of the Will County Local Emergency Planning Committee and any person requesting a copy or copies. In addition, a copy will be placed on file with the Will County Clerk's Office.

ADOPTED BY THE LOCAL EMERGENCY PLANNING COMMITTEE FOR THE COUNTY OF WILL,
THIS 25TH DAY OF JULY, 2001.

(Signatures on file)

Kerry R. Sheridan, LEPC Chairperson

Donald B. Gould, Emergency Planning Coordinator